## **EXHIBIT B**



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## Interior Issues Statement on Oil and Gas Leasing Program

8/16/2021 Last edited 8/16/2021

> Date: Monday, August 16, 2021 Contact: <a href="mailto:Interior\_Press@ios.doi.gov">Interior\_Press@ios.doi.gov</a>

**WASHINGTON** — Please see below for a statement from the Department of the Interior:

"The Department of the Interior (Interior) confirmed today that the Department of Justice (DOJ) has appealed the preliminary injunction entered by the district court in *Louisiana v. Biden*, which enjoined Interior from implementing the pause in new federal oil and gas leasing as set forth in Section 208 of Executive Order 14008. DOJ is appealing that decision to the United States Court of Appeals for the Fifth Circuit. Federal onshore and offshore oil and gas leasing will continue as required by the district court while the government's appeal is pending.

"The appeal of the preliminary injunction is important and necessary. Together, federal onshore and offshore oil and gas leasing programs are responsible for significant greenhouse gas emissions and growing climate and community impacts. Yet the current programs fail to adequately incorporate consideration of climate impacts into leasing decisions or reflect the social costs of greenhouse gas emissions including, for example, in royalty rates. Furthermore, past operation of the programs did not adequately reflect the breadth of the Interior Secretary's stewardship responsibilities, including conserving wildlife habitat, protecting historic and cultural resources, ensuring that public lands are available for multiple uses, protecting marine, coastal, and human environments, meeting trust responsibilities to American Indian and Alaska Native Tribes, and providing a fair return to taxpayers. Moreover, the federal oil and gas programs inadequately account for environmental harms to lands, waters, and other resources, foster speculation by oil and gas companies, and frequently leave impacted communities out of important conversations about how they want the public lands and waters managed.

"These issues have been the subject of numerous critical reports over decades by the Government Accountability Office (GAO), Interior's Office of Inspector General (OIG), Congressional Committees, and other independent reviewers. For example, the federal oil and gas program has been on GAO's 'High Risk List' for more than a decade, which notes programs and operations that are 'vulnerable to waste, fraud,

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abuse, or mismanagement, or in need of transformation.' GAO has issued frequent reports outlining serious concerns with the onshore and offshore oil and gas leasing programs. As far back as 1989, GAO noted that BLM 'is not exercising balanced stewardship over the public lands.' In just the last three years, GAO has highlighted deficiencies with noncompetitive leasing, royalty relief policies, data collection, ensuring a fair return, and bonding and reclamation practices in the onshore program, and about decommissioning liabilities, safety and environmental oversight, fiscal returns from the leasing program, and pipeline safety and decommissioning in the offshore program.

"The OIG has regularly highlighted energy management in its annual reports of 'Major Management and Performance Challenges facing the U.S. Department of the Interior,' stating, 'many of DOI's energy programs are vulnerable to waste, fraud, and mismanagement, which can jeopardize public safety and environmental integrity and increase the financial burden on the American public.'

"Interior will proceed with leasing consistent with the district court's injunction during the appeal. In complying with the district court's mandate, Interior will continue to exercise the authority and discretion provided under the law to conduct leasing in a manner that takes into account the program's many deficiencies. Separately, Interior continues to review the programs' noted shortcomings, including completing a report. The Department also will undertake a programmatic analysis to address what changes in the Department's programs may be necessary to meet the President's targets of cutting greenhouse gas emissions in half by 2030 and achieving net zero greenhouse gas emissions by 2050.

"Pursuant to resolution of another litigation matter involving leasing activity on the public lands, Interior will release a notice of intent to conduct a review of the federal coal leasing program later this week."

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PRESS RELEASE



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## PRESS RELEASE



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